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May 24, 2022

Via ECF Only

Honorable Paul G. Gardephe, Judge
United States District Court
Southern District of New York
40 Foley Square, Room 2204
New York, New York 10007

Re: *Dinean Davis, Individually and on Behalf of her Infant Child, J.D. v. Winston Preparatory School, et al.*
Venue: United States Southern District of New York
Docket No.: 1:21-CV-08209-PGG
Our File No.: 22643.8

Dear Judge Gardephe,

Our firm represents Defendants in the above-referenced matter and we write in accordance with Your Honor's Individual Rules of Practice to respectfully request an adjournment of the status conference currently scheduled for Thursday, May 26, 2022 at 10:30 AM, due to Plaintiff's counsel's ongoing health issues that have prevented the Parties from creating a new schedule for Defendants' Motion to Dismiss.

As Your Honor may recall, Plaintiff's Response in Opposition to Defendants' Motion to Dismiss the Amended Complaint (the "Response") was originally due on April 26, 2022. (ECF No. 43). Plaintiff's counsel subsequently submitted an April 26, 2022 letter to the Court seeking an extension to serve Plaintiff's Response. (ECF No. 44). The Court granted a one-day extension for Plaintiff's Response to April 27, 2022 and extended Defendants' Reply deadline to May 11, 2022. (ECF No. 45). On May 4, 2022, the Parties notified the Court of Mr. Lewis's hospitalization and jointly requested that all deadlines be stayed until after Plaintiff's counsel was discharged from the hospital and the Parties could confer and submit an updated motion schedule. (ECF No. 46). The Court graciously granted this request on May 6, 2022. (ECF No. 47).

As Plaintiff's counsel is unfortunately still experiencing health complications related to his hospitalization earlier this month, the Parties have not been able to meet and confer regarding a new motion schedule. Accordingly, the Parties jointly request an adjournment from this status conference. The Parties thank this Honorable Court for its continued courtesy and consideration in this particularly challenging time for Plaintiff's counsel.

Respectfully submitted,

WILSON ELSER MOSKOWITZ EDELMAN & DICKER LLP

/s/ Corrine Shea
Corrine Shea, Esq.
Nancy V. Wright, Esq.

cc: Nicholas Lewis, Esq. (via ECF and email only)
Nesenoff & Miltenberg, LLP
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MEMO ENDORSED:

The conference scheduled for May 26, 2022, is adjourned to **June 30, 2022 at 11:15 a.m.** in Courtroom 705 of the U.S. Courthouse, 40 Foley Square, New York, NY.

SO ORDERED.

A handwritten signature in dark ink, appearing to read "Paul G. Gardephe".

Paul G. Gardephe
United States District Judge
Dated: May 25, 2022